Rankin Defends Phone Listing

By ALLAN WOLPER

Corporation Counsel J. Lee Rankin says he is keeping law office telephone listing for the day he retires from city government and returns to private practice.

"I just wanted to keep the telephone number," Rankin said last night. "I can't conceive of anyone who would deprive me of my rights to retain a telephone number. The telephone company said that it did not know whether I could be given the number later on if I gave it up. I keep the office and the number for the day when I leave city government and return to private practice."

Asked why inquiries made to Rankin's law office telephone listing were referred to the corporation counsel's office, he replied:

"There are a lotof people who call me at the law office on city business. They are told to call the corporation counsel's office. They are not referred on legal business."

Rents His Office

Rankin, who announced eight months ago that he would discontinue his outside law practice, rents his 14th floor office at 36 W. 44th St., known as the New York Bar Building, to New York County Conservative Party Chairman Harry Middendorf Jr.

The corporation counsel took his name off the door and out of the building listing after the Post's original published disclosure, last Jan. 18.

He said he had written a letter to the phone company asking that his name be taken out of the Yellow Pages listing of lawyers. The 1971 listing, now in effect, and corrected to last November, will change when the new Yellow Pages are published in January, 1972.

The American Bar Assn. Code Of Professional Responsibility and Canons of Judicial Ethics restricts a lawyer to advertising hi practice in the telephone book, the building directory, on the door of his office, and in various legal directories.

Code Admonishes

Canon 9 of this code says that a "lawyer should avoid even the appearance of professional impropriety."

"As I told you before," practiced law since my first

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year in government (1966). As soon as you raised your objections, (January 1971) I stopped. I took my name off the door and out of the building directory."

"You deliberately wrote that story today (Thursday) to do damage," Rankin said referring to a story in yesterday's Post that the office number was still listed in the telephone book. "The newspaper has lost its respect in the city because of the things you write. You're the only one in the city that does this. All you want to do is damage. I find it inexcusable for someone to draw the conclusion that I am practicing law, that I am holding myself out as practicing law."

Rankin, a former U. S. Solicitor General and currently an ex-officio member of the city's Board of Ethics, said last January that he would not have entered city government if he knew he would have to give up his law practice.

"Occcasional Service"

"I believe that the occasional rendering of service for a fee is not precluded by Section 1100 of the City Charter," Rankin said, "since services do not involve a substantial expenditure of time, and in my case, are minute in comparison to the full performance of my duties as corporation counsel."

The Administrative Code says it "shall be unlawful for the corporation counsel or any of his assistants to appear as an attorney or counsel in any litigation except in the discharge of his official duties."

The City Charter, which encompasses the Administrative Code, forbids department heads from holding any outside business interests that may conflict with his city work.

A special New York City Bar Assn. committed criticized as "inappropriate" Rankin's private law practice, but said he was not builty of any conflict of interest.

Mayor Won't Comment

Mayor Lindsay said several months ago that he would draw up a set of guidelines for city professionals with outside interests. Deputy Mayor Richard Aurelio said last month that "an executive order" would soon be issued.

The Mayor declined to comment last night on the Rankin issue.

Rankin, in a letter he had hand delivered to The Post yesterday prior to last night's interview, said:

"I am enclosing a photocopy of the letter I wrote to the New York Telephone Co. on Feb. 1, 1971, asking that the word "atty" be eliminated from the listing of J. Lee Rankin, Atty., 36 West 44th St., MU 7-2924 in the Manhattan Telephone Directory, and eliminate entirely from the Yellow Pages under lawyers, the listing of J. Lee Rankin. . .

"I would appreciate it if you would print this copy verbatim in your paper in the same prominence that you published the story claiming that I was still listing my private law office in your publication. . . "